

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:  
THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,  
as representative of  
THE COMMONWEALTH OF PUERTO RICO, *et  
al.*,  
Debtors.<sup>1</sup>

PROMESA  
Title III  
No. 17 BK 3283-LTS  
(Jointly Administered)  
**This filing relates to the  
Commonwealth, HTA and ERS.**

**REPLY OF THE COMMONWEALTH OF PUERTO RICO, PUERTO RICO  
HIGHWAYS AND TRANSPORTATION AUTHORITY, AND EMPLOYEES  
RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF  
PUERTO RICO TO RESPONSE FILED BY CLAIMANT ALFREDO GARCIA CRUZ  
[ECF NOS. 9815 AND 9789] TO THE ONE HUNDRED ELEVENTH OMNIBUS  
OBJECTION (NON-SUBSTANTIVE) TO DEFICIENT CLAIMS ASSERTING  
INTERESTS BASED UPON UNSPECIFIED PUERTO RICO STATUTES**

To the Honorable United States District Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (“Commonwealth”), Puerto Rico Highways and Transportation Authority (“HTA”), and Employees Retirement System for the Government of the Commonwealth of Puerto Rico (“ERS”), and together with the Commonwealth and HTA, the

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

“Debtors”) by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Debtors pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>2</sup> files this reply (the “Reply”) to the identical responses, ECF No. 9789 (the “First García Cruz Response”) and ECF No. 9815 (the “Second García Cruz Response,” and together with the First García Cruz Response, the “García Cruz Responses”), filed by Alfredo García Cruz (“García Cruz”) to the *One Hundred Eleventh Omnibus Objection of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims Asserting Interests Based on Unspecified Puerto Rico Statutes* [ECF No. 9561] (the “One Hundred Eleventh Omnibus Objection”). In support of this Reply, the Debtors respectfully represent as follows:

1. On December 12, 2019, the Debtors filed the One Hundred Eleventh Omnibus Objection, seeking to disallow certain proofs of claim that failed to comply with the applicable rules for filing a claim by not providing a basis for asserting a claim against the Commonwealth, HTA, ERS, or any other Title III Debtor (collectively, the “Deficient Claims”), each as listed on Exhibit A thereto. As set forth in the One Hundred Eleventh Omnibus Objection and supporting exhibits thereto, each of the Deficient Claims purport to be based on obligations owed to the applicable claimant by the Commonwealth, HTA, or ERS, but failed to provide information identifying the source of the obligations or explaining why the Commonwealth, HTA, ERS, or any other Title III debtor are liable to the claimant.

2. Any party who disputed the One Hundred Eleventh Omnibus Objection was required to file a response by 4:00 p.m. (Atlantic Standard Time) on January 14, 2020 (the “January

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<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101–2241.

14 Deadline”), in accordance with the Court-approved notice attached to the One Hundred Eleventh Omnibus Objection as Exhibit C, which was served in English and Spanish on the individual creditors subject to the One Hundred Eleventh Omnibus Objection, the U.S. Trustee, and the Master Service List (as defined in the *Order Further Amending Case Management Procedures* [ECF No. 8027-1]). See *Certificate of Service* [ECF No. 9621]. Pursuant to the Court’s *Order (A) Establishing Extended Deadline for Responses to Omnibus Objections Scheduled for Hearing at December 11, 2019 and January 29, 2020 Omnibus Hearings, (B) Continuing the Hearing as to Omnibus Objections Scheduled for Hearing at December 11, 2019 and January 29, 2020 Omnibus Hearings Until the April 22, 2020 Omnibus Hearing, (C) Approving Form of Notice and (D) Granting Related Relief* [ECF No. 12325], that deadline was subsequently extended until March 27, 2020 at 4:00 p.m. (Atlantic Standard Time) (the “March 27 Deadline”).

3. The First García Cruz Response was filed with the Court on January 9, 2020, and docketed as ECF No. 9789 on January 10, 2020. The Second García Cruz Response was filed with the Court on January 10, 2020, and docketed as ECF No. 9815 on January 13, 2020. Therein, García Cruz does not dispute that García Cruz’s proof of claim, which was filed against the Commonwealth on June 27, 2018, and logged by Prime Clerk as Proof of Claim No. 110338 (the “García Cruz Claim”), states as the basis for the claim “El Romerazo – Ley 89,” but does not provide any information required to evaluate the García Cruz Claim, such as an explanation of how or why Law 89 may give rise to liabilities owed to García Cruz.

4. Instead, the García Cruz Responses provide updated information regarding García Cruz’s mailing address. The García Cruz responses do not, however, provide any additional information necessary to enable the Debtors to reconcile the García Cruz Claim.

5. Accordingly, the Debtors respectfully request that the Court grant the One Hundred Eleventh Omnibus Objection and disallow the García Cruz Claim in its entirety.

Dated: November 11, 2020  
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer  
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